



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NO. 1509-118-RR

RE: IN THE MATTER OF THE PETITION OF THE STATE OF  
CONNECTICUT TO PERMANENTLY CLOSE TO VEHICULAR AND  
PEDESTRIAN TRAFFIC A PRIVATE AT-GRADE CROSSING LOCATED  
AT WILSON AVENUE IN WINDSOR, CONNECTICUT.

DECISION

December 1, 2015

## I. INTRODUCTION

### A. Application

By petition dated September 24, 2015 and filed with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-292(e) of the Connecticut General Statutes, as amended, the Connecticut Department of Transportation Office of Facilities Design (hereinafter "petitioner") proposes to permanently close the private railroad/highway at-grade crossing, Wilson Avenue, located at milepost 39.85 on the Springfield Line of the National Railroad Passenger Corporation (hereinafter "Amtrak") to all vehicular and pedestrian traffic as part of the New Haven-Hartford-Springfield (hereinafter "NHHS") Rail program.

### B. Hearing

Pursuant to Connecticut General Statutes Section 13b-292(e), a public hearing on this application was held on October 8, 2015.

Notice of the application and of the hearing to be held thereon was given to stakeholders and all abutters of said property as required by General Statutes 13b-292(e). Notice to the public was given by publication on the department website at [www.ct.gov/dot](http://www.ct.gov/dot).

The Commissioner of Transportation designated a hearing officer to conduct the hearing on this matter, pursuant to Connecticut General Statutes Section 13b-17.

### C. Appearances

The Department of Transportation was represented by Jeffrey T. Schultz, PA, PMP and Richard E. Bertoli, Jr., P.E. with the firm of Parsons Brinkerhoff. Parsons Brinkerhoff has a mailing address of 500 Winding Brook Drive, Glastonbury, CT 06033.

Gilbert Smart, with the Department of Transportation Office of Rail and Stephen Curley, with the Office of Traffic Engineering, appeared on behalf of the department.

## II. FINDINGS OF FACT

1. As part of the New Haven-Hartford-Springfield Rail Program, the department proposes to permanently close, to all pedestrian and vehicular traffic, the Wilson Avenue private railroad/highway at-grade crossing, located at milepost 39.85, on the Springfield Line of Amtrak.

2. The crossing is a lightly used access roadway, owned by Department of Energy and Environmental Protection (hereinafter "DEEP") that dead-ends east of the

tracks, bordering the Windsor Meadows State Park property.

3. The town of Windsor ownership of Wilson Avenue ends at the westerly Amtrak right-of-way.

4. There is a pedestrian trail in the park that continues east from the crossing.

5. There is another official public access to the park, approximately one quarter (1/4) mile south of Wilson Avenue, via Meadow Road.

6. An on-site diagnostic review at the Wilson Avenue grade crossing was conducted by a team of department and Amtrak officials, local roadway officials, and consultants.

7. The diagnostic team examined the automobile traffic, proposed improvements, pedestrian movements, and FRA grade crossing safety guidelines at the subject crossing and determined that, given the very low traffic and pedestrian movements, as well as the nearby availability of alternative access to Windsor Meadows State Park, the subject crossing should be permanently closed.

8. DEEP does not oppose the proposed permanent closing of the subject crossing.

9. Improvements will be made at the subject crossing as part of the NHHS program. Such improvements will include removal of the grade crossing surface, flashing lights and gates, advance railroad crossing warning signs, railroad related pavement markings, and roadway approaches.

10. A new cul-de-sac will be constructed on Wilson Avenue along the west side of the railroad tracks to enable traffic to safely turn around. Signing designating "No Outlet" will be installed for eastbound traffic on Wilson Avenue.

11. Approximately three hundred (300) feet of eight (8) foot chain link fencing will be installed along the west side of the railroad right-of-way to discourage trespassing.

12. The necessity for such crossing has ceased and continued operation of the subject crossing would constitute a hazard to public safety.

13. No person in attendance at the hearing presented evidence on the impact of such proposal or was in opposition to the proposal.

### III. DECISION

It is hereby decided that the petitioner, the Department of Transportation, has demonstrated that the necessity of the subject private railroad at grade crossing has

ceased and that the continued operation of said crossing would constitute a hazard to public safety.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-292(e), it is hereby ordered that:

1. The private railroad/highway at-grade crossing at Wilson Avenue, also designated as Crossing #500726P, located at milepost 39.85 of the Springfield Line of the National Railroad Passenger Corporation (AMTRAK), be closed to all vehicular and pedestrian traffic.

2. The Petitioner, the Connecticut Department of Transportation Office of Facilities Design, will be responsible for the removal of the active warning devices, railroad flashing lights and vehicular gates, and passive warning devices, railroad related pavement markings and signing at the crossing. In addition, the existing gravel rail seal crossing surface will also be removed and chain link security fencing will be installed along west side of the railroad tracks.

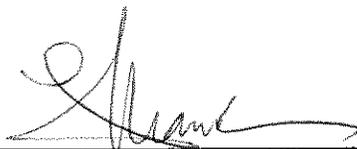
3. This work will be funded under State Project No. 0170-3156 and will be performed by AMTRAK by way of Construction and Maintenance Agreement No. 9.20-02-11 with the Petitioner.

4. The proposed work will be governed by the provisions of the Department of Transportation's "Standard Specifications for Roads, Bridges and Incidental Construction," Form 816, and also in accordance with the standards and specifications of the Association of American Railroads and the American Railway Engineering Association.

5. The Petitioner, upon completion of the removal of railroad crossing, as stated in the above-mentioned Condition #1, shall be responsible for contacting the Department's Rail Regulatory and Compliance Unit in order that an inspection of the former railroad/highway at-grade crossing is performed.

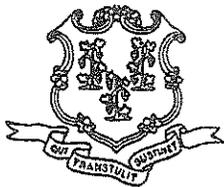
Dated at Newington, Connecticut, this 1<sup>st</sup> day of December 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Laila A. Mandour  
Staff Attorney III  
Administrative Law Unit  
Bureau of Finance and Administration



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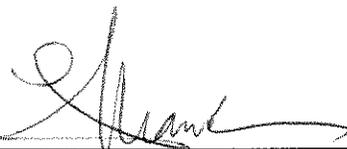
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Dated at Newington, Connecticut, this 1<sup>st</sup> day of December 2015.

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